

## **REMARKS/ARGUMENTS**

**Firstly, it is respectfully requested that the docket number in the patent office records for this case be changed to 1217.P006.**

### **Drawings**

The Examiner objected to the drawings because on Fig. 3, blocks 102, 104, 106, 108, 114, 116, 118 and 120 must use descriptive language to identify each of such blocks.

In amended Fig. 3, Applicant has added descriptive language to identify each of such blocks. Applicant respectfully submits amended drawings and requests that the objection to the drawings to be withdrawn.

### **Claim Rejections – 35 U.S.C. 103**

The Examiner rejects Claims 16 and 18 under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US 6,128,351; hereinafter “Jones”), in view of Komatsu (US 6,144,860; hereinafter “Komatsu”).

Responsive to the Examiner’s rejection, Applicant incorporates the limitation of Claim 17 into Claim 16, and cancels Claim 17. Amended Claim 16 further recites a data combiner comprising a data conditioner coupled to receive the unknown data signal and the power ratio signal, the data conditioner for changing the power level of the unknown data signal substantially in accordance with the power ratio signal, and the data conditioner being adapted to provide a conditioned unknown data signal; a pilot conditioner coupled to receive the known data signal and the power ratio signal, the pilot conditioner for changing the power level of the known data signal substantially in accordance with the power ratio signal, and the pilot conditioner being adapted to provide a conditioned known data signal; and an adder coupled to receive the conditioned

unknown data signal and the conditioned known data signal, for combining the conditioned unknown data signal and the conditioned known signal, and the adder coupled to provide the each discrete data signals.

Applicant thus respectfully submits that Jones and Komatsu fail to teach or suggest the claimed feature of amended Claim 16, even if they are impermissibly combined.

It is noted that Claim 18 is depending upon amended Claim 16. As discussed above, amended Claim 16 is not anticipated by or obvious over Jones and Komatsu. Therefore, Applicant respectfully submits that Claim 18 is not anticipated by or obvious over Jones and Komatsu.

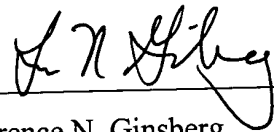
The Examiner rejects Claims 20 – 24 under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US 6,128,351; hereinafter “Jones”), Komatsu (US 6,144,860; hereinafter “Komatsu”), further in view of Fig. 1 admitted as prior art by Applicant.

It is noted that Claims 20 – 24 are dependent claims upon amended Claim 16. As discussed above, amended Claim 16 is not anticipated by or obvious over Jones and Komatsu. Therefore, Applicant respectfully submits that Claims 20 – 24 are not anticipated by or obvious over Jones, Komatsu and Fig. 1 admitted as prior art by Applicant.

Applicant submits that amendments to Claims 16 – 24 do overcome the Examiner’s rejections and are in condition for allowance. Applicant respectfully requests the rejections to be withdrawn.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Attachments

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Certificate of Mailing Under 37 CFR 1.8

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Lawrence N. Ginsberg, Reg. No. 30,943

2/18/05  
Date

**Amendments to the Drawings:**

The attachment sheet of drawings includes changes to Fig. 3. This sheet, which includes Fig. 3, replaces the original sheet including Fig. 3. In Fig. 3, previously omitted descriptive language to identify each of blocks 102, 104, 106, 108, 114, 116, 118 and 120 has been added.

Applicant respectfully submits that no new matter has been added.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

Annotated Sheet Showing Changes

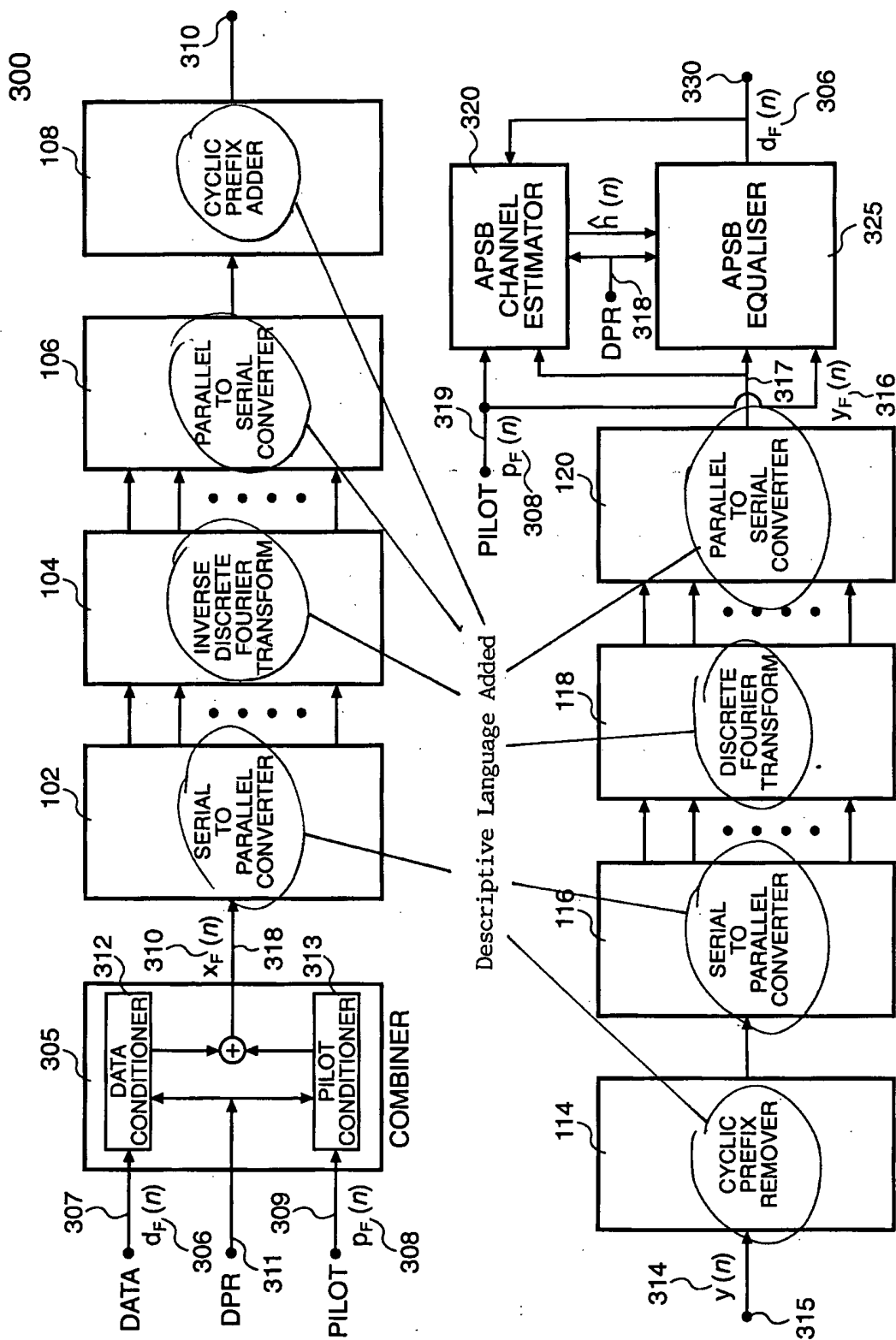


FIG. 3